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TRANSMITTAL FORM

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Total Number of Pages in This Submission

9 +
exhibits

Application Number

09/940,919

Filing Date

Aug 28, 2001

First Named Inventor

Friddle, Carl Johan

Art Unit

1647

Examiner Name

S. Wegert

Attorney Docket Number

LEX-0228-USA

ENCLOSURES (Check all that apply)

Fee Transmittal Form

Fee Attached

Amendment / Reply

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete Application

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence

Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

Landscape Table on CD

After Allowance communication to (TC)

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

Return postcard

Exhibits A-O

Remarks

Customer # 24231

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Lexicon Genetics Incorporated

Signature

Lance K. Ishimoto by David W. Hobbs DAVID W. HOBBS REC'D. NO. 41,071

Printed name

Lance K. Ishimoto

Date

February 15, 2005

Reg. No. 41,866

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Friddle et al.** Group Art Unit: 1647
Application No.: **09/940,919** Examiner: **S. Wegert**
Filed: **08/28/2001** Atty. Docket No.: **LEX-0228-USA**
Title: **Novel Human GABA Transporter Protein and
Polynucleotides Encoding the Same**

RESPONSE TO OFFICE ACTION DATED NOVEMBER 17, 2004

Commissioner for Patents
Alexandria, VA 22313

Sir:

The Applicants acknowledge the receipt of the Office Action ("the Action") mailed on November 17, 2004, which has been carefully reviewed and studied. Reexamination and reconsideration of the application is requested in view of the following remarks. In order to facilitate the Examiner's evaluation of the application, Applicants have attempted to address the rejections in the Action in the same order in which they were originally raised.

The response is timely filed, and Applicants believe no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees or credit any overpayment to Deposit Account No. 50-0892.

RESPONSE

I. Status of the Claims

No claims have been cancelled. No claims have been amended. No new claims have been added.

Claims 2 and 4-7 are therefore presently pending in the case.

II. Rejection of Claim 7 Under 35 U.S.C. § 112, First Paragraph

The Action rejects claim 7 under 35 U.S.C. § 112, first paragraph, as allegedly not enabled